

**DEPARTMENT OF THE ARMY**

U.S. Army Engineer Division, Great Lakes and Ohio River

Corps of Engineers

P.O. Box 1159

CELRD-HR

Cincinnati, OH 45201-1159

Memorandum

No. 690-1-28

1 February 2000

Civilian Personnel

**VARIABLE WORKDAY PLAN**

1. Purpose. The purpose of this memorandum is to describe the provisions and guidelines of the Great Lakes and Ohio River Division Office's Variable Workday Plan.

2. Applicability. The policy applies to all Ohio River office elements unless specifically excluded by the division commander. Civilian employees except Senior Executive Service members are eligible to participate.

3. Reference.

a. Public Law 99-190

b. 5 C.F.R. Part 610, Subpart D, Flexible and Compressed Work Schedules

4. General. The variable workday is a flexible duty schedule (Monday through Friday). Eligible employees may vary arrival and departure times on a daily basis. Employees must be present during core time (9:00 a.m. to 3:00 p.m.). Employees may extend the length of the workday to accumulate "credit hours" provided there is work to be done, in order to shorten a subsequent workday or workweek. The following definitions and specific program requirements apply:

a. Schedule. Listed below is the variable workday plan schedule for the division office:

**FLEXIBLE BAND**

**CORE TIME**

6:30 a.m.

6:00 p.m.

9:00 a.m.

3:00 p.m.

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\*This memorandum supersedes CEORDM 690-1-28, 1 April 1984, and Chg 1 to CEORDM 690-1-28 dated 24 January 1997.

b. Core Time: All employees must be present for duty during core hours unless specifically excused. Core hours consist of 9:00 a.m. to 3:00 p.m., Monday through Friday. If an employee is absent from work during core hours without prior approval, official leave (annual, sick or leave without pay) or AWOL may be charged.

c. Daily Work Requirement: All employees are responsible for completing a daily work requirement of 8 hours, Monday through Friday, or if part-time, their prescheduled hours of work. Completion of the work requirement may consist of actual work performance or a combination of work performance and the use of credit hours or approved leave. The plan provides for a minimum lunch period of 30 minutes. Employees may extend the lunch period as long as they have secured supervisory approval. Employees are authorized two 15 minute rest breaks, one break for each 4-hour period of the normal 8-hour workday. Employees who work an 8 hour day must take a ½ hour lunch period during the course of the 8 hours.

d. Arrival and Departure Times: Employees may begin their workday according to their own preference, as early as 6:30 a.m. but no later than 9:00 a.m., and may work until 6:00 p.m. (unless working authorized overtime which may extend beyond 6:00 p.m.). Employees may select their own departure time after the daily work requirement is completed unless ordered to perform overtime work. Completed daily work requirements will be rounded downward to the complete quarter hour segment actually worked.

(1) Supervisors may restrict arrival/departure times based upon essential work requirements (i.e., establish a specific 8-1/2 hour tour of duty such as 7:00 a.m. to 3:30 p.m., 8:00 a.m. to 4:30 p.m., etc.). Supervisors will notify employees of such restrictions in writing.

(2) If more than one employee is qualified to perform the essential work, volunteers for the altered work schedule will be solicited. Absent volunteers, the supervisor will make the schedule change based on essential work requirements.

(3) If an employee feels that a change in his/her hours is not based on an essential work requirement, the employee may seek relief through the grievance procedure.

e. Recording Time: ENG Form 4704, Alternate Work Schedule Time Record, will be used to maintain a record of employee's arrival/departure under the CELRD variable workday. Employees are responsible for posting their arrival/departure and/or leave status on a daily basis.

f. Credit Hours: Credit hours are the duty time/work performance in excess of the 8-hour daily requirement that are performed voluntarily. Credit hours may be earned only during the flexible band, 6:30 a.m. to 6:00 p.m. Credit hours may be accumulated on a daily basis, provided there is work to be done. Credit hour accumulation and carryover for full-time employees is limited to 24 hours. Part-time employees may accumulate credit hours proportionally based on their particular daily work schedule. As an example, a part-time employee who normally works 64 hours per pay period may not accumulate more than 16 credit hours per pay period. Each employee is responsible for ensuring that he/she does not accumulate more than the maximum allowable. Any hours in excess of the maximum limit will be forfeited.

g. Use of Credit Hours: Use of credit hours is restricted to that which has already been earned in a previous workday or work week. Employees may not "borrow" credit hours. Employees may use accumulated credit hours at their own discretion outside of the core hours without supervisory approval. If an employee wants to use accumulated credit hours in order to be absent from work during core hours (9:00 a.m. to 3:00 p.m., Monday through Friday) he/she must have supervisory approval. Use of official leave at any time will still require advance supervisory approval.

h. Travel Time:

(1) When an employee begins travel for a TDY assignment during the work week directly from his/her residence, the employee's workday begins when he/she begins to travel, but in no case earlier than 6:30 a.m. The employee is considered to be in a constructive duty status and the daily work requirement (8 hours) is completed 8-1/2 hours after travel begins (includes 30 minutes for lunch). On such travel days, if an employee performs work or is traveling in excess of the 8-1/2 hours, the employee may earn credit hours until 6:00 p.m. (or up to a maximum of 3 credit hours). When an employee is present for duty at the home duty station and begins to travel in the afternoon, the duty day begins when the employee reports for duty. If the employee is scheduled for official travel commencing after the start of core hours (i.e., after 9:00 a.m.) and the employee decides not to report to the office first, the employee may request and, if approved by the supervisor, use credit hours or leave to cover scheduled time until the official travel begins. When an employee is scheduled to return from a TDY location and starts travel before 9:00 a.m., the duty day begins when the employee starts travel, but no earlier than 6:30 a.m. The duty day extends until the daily work requirement is completed, but no later than 6:00 p.m.

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(2) When an employee is TDY for training, attendance at a conference, workshop, etc., work time for those days on which travel is not performed will be determined by the event's schedule and not by the employee. For example, a training course might be scheduled for 8:00 a.m. - 4:00 p.m. with an hour lunch break. In such situations, the employee will receive credit for an 8 hour duty day even though 8 hours of work has not been completed.

i. Duty Hours at TDY Station: On days when the employee is on temporary duty status (i.e., in a different duty location and not performing official travel other than normal lodging to work travel), the regular provisions of the variable workday apply. The duty day starts when the employee is present for duty, there is a daily work requirement of 8 hours and the employee may earn credit hours for work performed in excess of 8 hours between 6:30 a.m. and 6:00 p.m.

j. Overtime: Overtime work under the variable workday plan may still be ordered and approved. Overtime is defined as that work or duty time in excess of 8 hours in a day or 40 hours in a week that is specifically ordered and approved by management. When management directs overtime work, employees may not have the time credited as credit hours.

k. Change in Employment: Employees who leave the division office on a permanent basis through promotion, reassignment, resignation, etc., may use the balance of credit hours while employed by the division office or be paid for the balance of credit hours.

FOR THE COMMANDER:

/s/  
SEAN M. WACHUTKA  
Colonel, Corps of Engineers  
Deputy Commander

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